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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/115,654 07/15/98 SHIBATA

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QM12/0522
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EXAMINER

DEXTER, C

ART UNIT

PAPER NUMBER

3724

DATE MAILED:

05/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

Office Action Summary

Application No.

09/115,654

Applicant(s)

Shibata

Examiner

Clark F. Dexter

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3724



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Mar 7, 2001

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-19 and 21-34 is/are pending in the application.

4a) Of the above, claim(s) 2-11 is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1, 12-19, and 21-34 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☒ All b) ☐ Some* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) ☐ Other: _____

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DETAILED ACTION

1. The amendment filed November 20, 2000 has been entered.

Claim Rejections - 35 USC § 112

2. Claims 1, 12-19 and 21-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 6, “adapted to move” is vague and indefinite as to how the saw unit is “adapted” for the recited movement; in line 8, “adapted to move” is vague and indefinite as to how the saw unit is “adapted” for the recited movement.

In claim 18, lines 9-15, the phrase “automatically prevents the saw blade from moving ... in the vertical direction” is vague and indefinite since sufficient structure (particularly sufficient structural cooperation between the first lock and the first sensor) has not been set forth to perform the recited function; in lines 17-23, the phrase “automatically prevents the saw blade from moving ... in the horizontal direction” is vague and indefinite since sufficient structure (particularly sufficient structural cooperation between the second lock and the second sensor) has not been set forth to perform the recited function.

In claim 26, lines 15-18, the phrase “wherein the first lock automatically prevents ... in the vertical plane” is vague and indefinite since sufficient structure (particularly sufficient structural

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cooperation between the first lock and the first sensor) has not been set forth to perform the recited function; in lines 20-23, the phrase “wherein the second lock automatically prevents ... in the horizontal plane” is vague and indefinite since sufficient structure (particularly sufficient structural cooperation between the second lock and the second sensor) has not been set forth to perform the recited function.

In claim 31, line 4, “coupled to the saw” is vague and indefinite and appears to be inaccurate, and it seems that “saw” should read --table-- or the like; in line 7, “connecting the holder to the saw” is vague and indefinite and appears to be inaccurate, and it seems that “saw” should read --shaft-- or the like; in lines 14-15, structural cooperation is lacking for “a first detector”, particularly with respect to the saw; in lines 20-21, structural cooperation is lacking for “a second detector”, particularly with respect to the saw.

In claim 33, line 8, structural cooperation is lacking for “a first lock”, particularly with respect to the saw, and sufficient structure has not been set forth to perform the function recited in lines 9-11.

In claim 34, line 8, structural cooperation is lacking for “a first lock”, particularly with respect to the saw, and sufficient structure has not been set forth to perform the function recited in lines 9-11.

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Allowable Subject Matter

3. Claims 1, 12-19 and 21-34 appear that they would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at (703)308-2187.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3579; informal/draft papers - (703)305-9835.



**Clark F. Dexter
Primary Examiner
Art Unit 3724**

cfd
May 21, 2001